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Date of Deposit: - August 9, 2005

Type of Document(s): - Transmittal Form (PTO/SB/21)
- Amendment and Response to Non-Final Office Action
(17 pages)
- Postcard Receipt

Application No.: - 10/037,085

Filed: - December 20, 2001

Applicant(s): - Kenneth M. MAXHAM

Title: - SYSTEM AND METHOD FOR SELECTING THE
PLACEMENT OF OPTICAL AMPLIFIERS IN
AN OPTICAL NETWORK

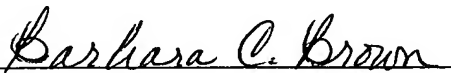
Examiner: - Christina Y. Leung

Art Unit: - 2633

Attorney Docket No.: - CIE-0063 (21216-05666)

Client Docket No.: - 10.0882 (4312)

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Barbara C. Brown
Paralegal

Doc Code:

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

18

Application Number

10/037,085

Filing Date

December 20, 2001

First Named Inventor

Kenneth M. MAXHAM

Art Unit

2633

Examiner Name

Christina Y. Leung

Attorney Docket Number

CIE-0063 (21216-05666)

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply (17 pages)



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

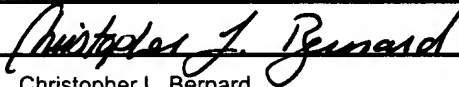
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Firm Name

Dougherty, Clements, Hofer, Bernard & Walker

Signature



Printed name

Christopher L. Bernard

Date

August 9, 2005

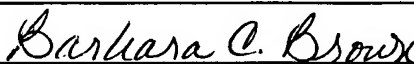
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Typed or printed name

Barbara C. Brown

Date

August 9, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s))	Kenneth M. MAXHAM
Application No.)	10/037,085
Filing Date)	December 20, 2001
Title)	SYSTEM AND METHOD FOR SELECTING THE PLACEMENT OF OPTICAL AMPLIFIERS IN AN OPTICAL NETWORK
Examiner)	Christina Y. Leung
Art Unit)	2633

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450 USA

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

Dear Sir/Madam:

In response to the non-final Office Action mailed May 17, 2005, rejecting Claims 1-35 of the above-referenced Application, in which Claims 1-35 are pending, Applicant respectfully requests that the following amendments be entered and remarks be considered. In view of these amendments and remarks, Applicant submits that the Application is now in condition for allowance and respectfully requests such action.